

**AMERICANS WITH DISABILITIES ACT (ADA) TITLE II GRIEVANCE OPERATING
PROCEDURE- Statewide**

DHR Statewide Operating Procedure #: DHR-STW-OP-202.1	Authority: ADA Title II established by section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794
Effective Date: April 1, 2021	Revision Date: December 1, 2023; June 30, 2023
Supersedes: N/A	

1. ELIGIBILITY

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). Anyone who wishes to file a Title II complaint alleging a discrimination on the basis of a disability in the provision of services, activities, programs, or benefits by the State of Delaware.

2. POLICY/REGULATION

Americans with Disabilities Act of 1990 ("ADA").

3. OPERATING PROCEDURES

- a. Anyone who wishes to file a Title II complaint alleging a discrimination on the basis of a disability in the provision of services, activities, programs, or benefits by the State of Delaware.
- b. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. If the individual with a complaint needs assistance in filing the complaint, an alternative means of filing can be made available for persons with disabilities upon request. Please contact the Statewide ADA Coordinator Deborah Yancey by phone 302-222-0073 or email DHR_ADAConcerns@delaware.gov
- c. The complaint should be submitted by the grievant or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

State of Delaware ADA Coordinator
13 Reads Way, Suite 201
New Castle, DE 19720
Phone: 302-222-0073
Email: DHR_ADAConcerns@delaware.gov

- d. Within 15 business days after receipt of the complaint, the ADA Office will contact the complainant to discuss the complaint and include any additional agencies that may need to be contacted for possible resolution.
- e. Within 15 business days of contact with the Complainant, the ADA Office representative will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape.
- f. The response will explain the position of the State of Delaware and offer options for resolution of the complaint.
- g. If the complainant wishes to appeal the decision of the ADA Coordinator, the complaint can be submitted to:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Ave, NW, 4CON, 9th Floor
Washington DC 20530

4. ASSOCIATED POLICIES AND FORMS

[ADA Title II Notice](#)

[ADA Title II Grievance Procedure Complaint Form](#)

5. Policy Owner

- Division Name: Division of Talent Management
- Policy Administrator: Statewide ADA Coordinator
- Website: DHR – [DHR - Statewide Americans with Disabilities Act \(ADA\) \(delaware.gov\)](#)